

12 -3 -04

IFW



PATENTS
112056-0120
P01-1570

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)
Eric Hamilton et al.)
Serial No.: 10/705,493) Examiner: Not yet assigned
Filed: November 10, 2003)
For: SYSTEM AND METHOD FOR)
MANAGING FILE DATA DURING)
CONSISTENCY POINTS)
)
Cesari and McKenna, LLP
88 Black Falcon Avenue
Boston, MA 02210
December 2, 2004

EXPRESS-MAIL DEPOSIT

"Express Mail" Mailing-Label Number: EV 336756735 US

The following papers are being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. §1.10:

X Information Disclosure Statement X PTO-1449 and Copies of References



PATENTS
112056-0120
P01-1570

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)
Eric Hamilton et al.)
Serial No.: 10/705,493)
Filed: November 10, 2003)
For: SYSTEM AND METHOD FOR)
MANAGING FILE DATA DURING)
CONSISTENCY POINTS)
Examiner: Not yet assigned
Art Unit: 2171
Cesari and McKenna, LLP
88 Black Falcon Avenue
Boston, MA 02210
December 2, 2004

“Express Mail” Mailing-Label Number: EV 336756735 US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION-DISCLOSURE STATEMENT

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicants wish to bring to the Examiner’s attention the references listed on the accompanying form PTO-1449. A copy of each listed reference is enclosed.

To the extent required by 37 C.F.R. §1.98(a)(3), Applicants have described what they consider to be the relevance of any foreign-language reference. The Office may find additionally relevant material in these or other references.

PATENTS
112056-0120
P01-1570

Please charge any additional fee occasioned by this paper to our Deposit Account
No. 03-1237.

Respectfully submitted,


Duane H. Drexer
Duane H. Drexer
Reg. No. 48,836
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500

Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DEC 02 2004

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

5

Complete If Known

Application Number	10/705,493
Filing Date	November 10, 2003
First Named Inventor	Eric Hamilton et al.
Group Art Unit	2171
Examiner Name	Not yet assigned
Attorney Docket Number	112056-0120

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,963,962		HITZ, et al.	10-05-1999	
		6,038,570		HITZ, et al.	03-14-2000	
		5,819,292		HITZ, et al.	10-06-1998	
		6,643,654		PATEL, et al.	11-04-2003	
				PAWLOWSKI, et al.		U.S. Patent Application Serial No. 10/215,917, (Attn. Matter No. 112056-0070) filed August 9, 2002, titled MULTI-PROTOCOL STORAGE APPLIANCE THAT PROVIDES INTEGRATED SUPPORT FOR FILE AND BLOCK ACCESS PROTOCOLS
				EDWARDS, et al.		U.S. Patent Application Serial No. 10/027,634, (Attny. Matter No. 112056-0002) filed December 21, 2001, titled FILE SYSTEM DEFRAAGMENTATION TECHNIQUE VIA WRITE ALLOCATION
				HAMILTON, et al.		U.S. Patent Application Serial No. 10/705,025, (Attny. Matter No. 112056-0121) filed November 10, 2003, titled SYSTEM AND METHOD FOR MANAGING FILE METADATA DURING CONSISTENCY POINTS
				FAIR, et al.		U.S. Patent Application Serial No. 10/705,470, (Attny. Matter No. 112056-0123) titled METHOD FOR DETECTING LEAKED BUFFER WRITES ACROSS FILE SYSTEM CONSISTENCY POINTS
		5,511,177		KAGIMASA, et al.	04-23-1996	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

Examiner Signature Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box +

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Approved for use through 10/31/2002. GPO 2001-090.

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/705,493
		Filing Date	November 10, 2003
		First Named Inventor	Eric Hamilton et al.
		Group Art Unit	2171
		Examiner Name	Not yet assigned
Sheet	2	of	5
		Attorney Docket Number	
		112056-0120	

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,897,661		BARANOVSKY, et al.	04-27-1999	
		6,185,655	B1	PEPING	02-06-2001	
		6,606,690	B2	PADOVANO	08-12-2003	
		5,941,972		HOESE, et al.	08-24-1999	
		5,828,876		FISH, et al.	10-27-1998	
		5,870,734		KAO	02-09-1999	
		5,907,672		MATZE, et al.	05-25-1999	
		5,944,789		TZELNIC, et al.	08-31-1999	
		6,173,293	B1	THEKKATH, et al.	01-09-2001	
		6,173,374	B1	HEIL, et al.	01-09-2001	
		6,526,478	B1	KIRBY	02-25-2003	
		5,987,477		SCHMUCK, et al.	11-16-1999	
		6,275,898	B1	DEKONING	08-14-2001	
		5,129,088		AUSLANDER, et al.	07-07-1992	
		5,918,229		DAVIS, et al.	06-29-1999	
		6,618,798	B1	BURTON, et al.	09-09-2003	
		4,916,608		SHULTZ	04-10-1990	
		4,843,541		BEAN, et al.	06-27-1989	
		5,163,131		ROW, et al.	11-10-1992	
		5,355,453		ROW, et al.	10-11-1994	

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/705,493
		Filing Date	November 10, 2003
		First Named Inventor	Eric Hamilton et al.
		Group Art Unit	2171
		Examiner Name	Not yet assigned
Sheet	3	of	5
		Attorney Docket Number	
		112056-0120	

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-------------------------------	--	----------------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

4

of

5

Complete if Known

Application Number	10/705,493
Filing Date	November 10, 2003
First Named Inventor	Eric Hamilton et al.
Group Art Unit	2171
Examiner Name	Not yet assigned

Attorney Docket Number

112056-0120

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		DAVID HITZ et al., TR3002 File System Design for a NFS File Server Appliance published by Network Appliance, Inc.	
		Common Internet File System (CIFS) Version: CIFS-Spec 0.9, Storage Networking Industry Association (SNIA), Draft SNIA CIFS Documentation Work Group Work-in-Progress, Revision Date: 3/26/2001	
		FIELDING et al., (1999) Request for Comments (RFC) 2616, HTTP/1.1	
		Auspex Systems, LFS - A Local File System for Multiprocessor NFS Network Servers, 1994	
		Unix Workstation System Administration Education Certification Course, January 8, 2002	
		RON LENIVE and MICHELLE GERVAIS, Building a SAN, SunExpert Magazine, March 1999, pp50-64	
		Network Appliance ends NAS-SAN war by COMPUTERWIRE, http://www.theregister.co.uk/2002/10/102/network_appliance_ends_nassan_war/print.html , Published Wednesday, October 2, 2002	
		International Search Report PCT/US03/23597, 03-09-2004, 7 pages, International Searching Authority, Alexandria, Virginia, USA	
		International Search Report PCT/US03/23597, 04-14-2004, 8 pages, International Searching Authority, Alexandria, Virginia, USA	
		LU, Y. "Performance Study of iSCSI-Based Storage Subsystems", IEEE Communications Magazine, pp. 76-82, August 2003	
		Celerra File Server Architecture for High Availability, EMC2 where information lives, August 1999, pp. 1-7.	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

5

of

5

Complete if Known

Application Number	10/705,493
Filing Date	November 10, 2003
First Named Inventor	Eric Hamilton et al.
Group Art Unit	2171
Examiner Name	Not yet assigned
Attorney Docket Number	112056-0120

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CALLAGHAN B. "NFS Version 3 Protocol Specification", Request for Comments (RFC) 1813 June 1995	
		Asante Desktop EN/SC Adapters User's Manual April 1996	
		Asante EN/SC Adapter Family Installation Guide May 1994	
		Maintenance Procedures ND (8C) nd-network disk control February 1985	
		Misc. Reference Manual Pages ND (4P) nd-network disk driver 26 July 1985	
		Performance Without Compromise: The Virtual Storage Architecture 1997	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

